EXHIBIT "A"

SUMMONS	SC-85-1		Clyde Casilleberry Co., Covington, GA. 30015
IN TH	IE SWEERIOR/STATE COURT OF	СНАТНАМ	COUNTY
		GEORGIA	
_CHARLES D.	HALL, SR.	CIVIL ACTION NUMBERSTCV0900869	
OV TIMBED	PLAINTIFF VS.		NECEIVEDI STATEGO 2009 MAR -
AND KEITH	COMPANY, DARREN RICHARDSON, CONNOR		A A STATE
	DEFENDANT SUMI	MONS I	9:54 Stack
TO THE ABOV	/E NAMED DEFENDANT:	,	•
You are hereb and address is:	oy summoned and required to file with the Clerk G. Brinson Williams JONES, OSTEEN AND JONES Post Office Box 800 Hinesville, GA 31310 (912) 876-0888	of said court and serve upon the Plai	ntiff's attorney, whose name
of the day of ser	complaint which is herewith served upon you, vice. If you fail to do so, judgment by default way of March 20.09		
		Clerk of Superior/State Court	Deputy Clerk

MMQN5 SC-85-1		Clypic Casallobarry Co., Consequent (IA 3)
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vs.		EGA FRIN
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LUMBER COMPANY, DARREN RICHARDSON		€ = :₹
ND KEITH CONNOR		~ 2
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SUMI	MONS	
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THE ABOVE NAMED DEFENDANT:		
THE ABOVE NAMED DEFENDANT.		•
ou are hereby summoned and required to file with the Clerk	of said court and serve upon the	Plaintiff's attorney, whose nar
address is: G. Brinson Williams, Esq.		
JONES, OSTEEN AND JONES		
Post Office Box 800 Hinesville, GA 31310		
(912) 876-0888		
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IN THE STATE COURT OF CHATHAM COUNTY.

STATE OF GEORGIA

CHARLES D. HALL, SR.,)	S S
Plaintiff,	\(\frac{1}{2}\)	FEB 2
VS.) Civil Action File No.	A Section
84 LUMBER COMPANY, DARREN RICHARDSON, and KEITH CONNOR,	}	MD: 12
Defendants.)	

COMPLAINT

COMES NOW Plaintiff, CHARLES D. HALL, SR., and complains against DARREN RICHARDSON, KEITH CONNOR and 84 LUMBER COMPANY and shows as follows:

1.

Plaintiff, CHARLES D. HALL, SR., is a resident citizen of the State of Florida, residing at Post Office Box 93, Palatka, Florida 32178, and is subject to the jurisdiction of this Court.

2.

Defendant, DARREN RICHARDSON, was, on the date of the incident complained of, an agent-employee of Defendant 84 LUMBER COMPANY and a resident citizen of Chatham County, Georgia, and is subject to the jurisdiction of this Count and may be served with a copy of this complaint and summons at his address 633 Orchard Street, Savannah, Georgia 31405-1951.

PAGE 83.

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Defendant, KEITH CONNOR, was on the date of the incident complained of an agent-employee-partner of Defendant 84 LUMBER COMPANY and a resident citizen of Chatham County, Georgia, and is subject to the jurisdiction of this Court and may be served with a copy of this complaint and summons at his address 106 Fairhaven Court, Guyton, Georgia 31312-5343.

4

Defendant 84 LUMBER COMPANY is a limited partnership organized under the laws of the State of Pennsylvania, which does business in Georgia, and is subject to the jurisdiction of this Court through its agent for service CT Corporation Systems, 1201 Peachtree Street NE, Atlanta, Georgia 30361.

VENUE

5.

Venue is proper in this Court because the incident complained of occurred at the 84 LUMBER COMPANY store located at 4020 Ogeechee Road, Savannah, Chatham County, Georgia 31405.

FACTS

б.

On February 27, 2007, Plaintiff CHARLES D. HALL, SR. was employed as a truck driver by Robert O. Vinal Trucking, Inc.

7.

Plaintiff was then assigned to make deliveries for Defendant 84 LUMBER COMPANY from the 84 Lumber Company Store at 4020 Ogeochee Road, Savannah, Georgia.

8

Plaintiff was thereby required to work in proximity to fork lift vehicles operated by employees of Defendant 84 LUMBER COMPANY.

9

One such employed was Defendant DARREN RICHARDSON, whose full name is not presently known to Plaintiff but is certainly known to Defendant 84 LUMBER COMPANY.

10.

Prior to the incident complained of Defendant DARREN RICHARDSON had disconnected a beeper on his fork lift, which was designed to and did warn persons in proximity to it, including Plaintiff, when the fork lift was being operated in reverse.

11

Plaintiff previously notified Defendant KEITH CONNOR, who was then and there responsible for supervision of Defendant DARREN RICHARDSON that the fork lift was being operated with this beeper turned off.

12.

Nonetheless, unknown to Plaintiff, on February 27, 2007, Defendant DARREN RICHARDSON was again operating his fork lift with the warning beeper disengaged and not functioning.

13

On February 27, 2007, Plaintiff was standing in the cargo loading area at the 84 Lumber Company Store at 4020 Ogeechee Road, Savannah, Georgia, when without reason or warning, Defendant DARREN RICHARDSON caused his fork lift to collide violently with Plaintiff.

14:

Plaintiff had no warning and no opportunity to avoid the fork lift as it collided violently with him.

15.

Plaintiff then and there suffered severe and permanent crush and injury to his right foot and ankle.

16

As a direct and proximate result of this impact and injury Plaintiff has incurred medical costs in the approximate amount of \$86,000 to date.

17

As a direct and proximate result of this impact and injury and the disability caused thereby Plaintiff has been unable to work, with a resulting loss of income of approximately \$750.00 per week, based on his wage at the time of the incident complained of, from the date of the incident and continuing to the present and beyond.

18.

Plaintiff has suffered permanent injury and loss of function to his right leg and foot so as to permanently destroy or, at best, greatly reduce his ability to work and labor.

10

Plaintiff has suffered and will continue to suffer for the remainder of his life continuing pain and discomfort as a direct result of his injuries, and the traumatic arthritis caused thereby.

20

Plaintiff was only 33 years old at the time of his injury with a reasonable expectation of many years of useful, productive work, and enjoyment of life.

21

The injuries and damages complained of herein are severe and permanent, and likely to become more severe with the passage of time.

COUNT I

22.

Plaintiff realleges and incorporate by reference each and all of the paragraphs set forth above as if fully repeated hereinafter.

The injuries and damages complained of herein were caused by the negligence and fault of Defendant DARREN RICHARDSON in causing the fork lift he operated to collide violently with Plaintiff.

24.

Defendant DARREN RICHARDSON was then and there the agent-employee of Defendant 84 LUMBER COMPANY.

25

Plaintiff is thereby entitled to recover in full from Defendants for all the injuries complained of herein.

COUNT II

26.

Plaintiff realleges and incorporates by reference each and all of the paragraphs set forth above as if fully repeated hereinafter.

27.

The injuries and damages complained of herein were caused by the intentional fault, negligence, and misconduct of Defendant DARREN RICHARDSON in disconnecting and then operating his fork lift without the warning beeper which would have alerted Plaintiff to the violent impact which was about to occur so as to allow Plaintiff to avoid or reduce the impact which caused his injuries and damages.

28

Plaintiff is thereby entitled to recover in full for the injuries and damages complained of herein.

29

Plaintiff is further entitled to recover punitive damages in an amount sufficient to punish the misconduct complained of and to warn against such misconduct in the future.

COUNT III

30.

Plaintiff realleges and incorporates by reference each and all of the paragraphs set forth above as if fully repeated hereinafter.

31.

The injuries and damages complained of herein were caused by the negligence and fault of Defendant CONNOR in failing to adequately supervise Defendant DARREN RICHARDSON so as to cause the fork lift in issue to be operated with a proper, functioning warning beeper.

32.

Defendant CONNOR was then and there the agent-employee of Defendant 84 LUMBER COMPANY.

33.

Plaintiff is thereby entitled to recover in full from Defendants for all the injuries and damages complained of herein.

COUNT IV

34.

Plaintiff realleges and incorporates by reference each and all of the paragraphs set forth above as if fully repeated hereinafter.

35.

The injuries and damages complained of herein were caused by the negligence and fault of Defendant 84 LUMBER COMPANY acting through its agent-employees.

36.

The injuries and damages complained of herein were caused by the intentional fault and misconduct of Defendant 84 LUMBER COMPANY acting through its agent-employees.

Plaintiff is thereby entitled to recover in full from Defendant 84 LUMBER COMPANY for all the injuries and damages complained of herein.

38

Plaintiff is thereby entitled to recover punitive damages from Defendant 84 LUMBER COMPANY to punish the intentional fault and misconduct complained of and to warn against such misconduct in the future.

WHEREFORE, Plaintiff prays that service be had on Defendants, that a trail by jury proceed and that Judgment be awarded to Plaintiff for actual damages in the amount of \$3,000,000 plus attorneys' fees, costs, and such other sums as law and justice may demand, and that punitive damages also be awarded in an amount sufficient to punish and to warn Defendants as to the misconduct complained of.

Respectfully submitted this 24th day of February, 2009.

JONES, OSTEEN AND JONES

'n۷-

G. Brinson Williams State Bar No. 761700 Attorney for Plaintiff

Post Office Box 800 Hinesville, Georgia 31310 (912) 876-0888

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_CHARLES D	HALL SR		CIVIL ACTION NUMBERSTCV09008	59
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	VS.			
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AND KEITH	CONNOR			ن ما الله الله الله الله الله الله الله ا
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and address is:	G. Brinson Williams JONES, OSTEEN AND JONES Post Office Box 800 Hinesville, GA 31310 (912) 876-0888 c complaint which is herewith served a	Ipon you, wi	thin 30 days after service of this	summons upon you, exclusiv
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In the stat	E COURT OF CHATHAM COUNTY	
	STATE OF GEORGIA	A A REGISTER
CHARLES D. HALL, SR.,	.)	MA 9: E
Plaintiff,	\(\)	र्के से
VS.) Civil Action File No. ST	CV0900869
84 LUMBER COMPANY,	Ś	
DARREN RICHARDSON, and	·	•
KEITH CONNOR,	j	
Defendants.	j	

AMENDED COMPLAINT

COMES NOW Plaintiff, CHARLES D. HALL, SR., and complains against DARREN RICHARDSON, KEITH CONNOR and 84 LUMBER COMPANY and shows as follows:

1.

Plaintiff, CHARLES D. HALL, SR., is a resident citizen of the State of Florida, residing at Post Office Box 93, Palatka, Florida 32178, and is subject to the jurisdiction of this Court.

2.

Defendant, DARREN RICHARDSON, was, on the date of the incident complained of, an agent-employee of Defendant 84 LUMBER COMPANY and a resident citizen of Chatham County, Georgia, and is subject to the jurisdiction of this Court and may be served with a copy of this complaint and summons at his address 633 Orchard Street, Savannah, Georgia 31405-1951.

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Defendant, KETTH CONNOR, was on the date of the incident complained of an agent-employee-partner of Defendant 84 LUMBER COMPANY and a resident citizen of Chatham County, Georgia, and is subject to the jurisdiction of this Court and may be served with a copy of this complaint and summons at his address 106 Fairhaven Court. Guyton, Georgia, 31312-5343.

Defendant 84 LUMBER COMPANY is a limited partnership organized under the laws of the State of Pennsylvania, which does business in Georgia, and is subject to the jurisdiction of this Court through its agent for service CT Corporation Systems, 1201 Peachtree Street NE, Atlanta, Georgia 30361.

VENUE

5.

Venue is proper in this Court because the incident complained of occurred at the 84 LUMBER COMPANY store located at 4020 Ogeochee Road, Savannah, Chatham County, Georgia 31405,

FACTS

0.

On February 27, 2007, Plaintiff CHARLES D. HALL, SR. was employed as a truck driver by Robert O. Vinal Trucking, Inc.

7.

Plaintiff was then assigned to make deliveries for Defendant 84 LUMBER. COMPANY from the 84 fumber Company Store at 4020 Ogeechee Road, Savannah, Georgia.

Plaintiff was thereby required to work in proximity to fork lift vehicles operated by employees of Defendant 84 LUMBER COMPANY.

One such employee was Defendant DARREN RICHARDSON, whose full name is not presently known to Plaintiff but is certainly known to Defendant 84 LUMBER COMPANY.

10.

Prior to the incident complained of Defendant DARREN RICHARDSON had disconnected a beeper on his fork lift, which was designed to and did warn persons in proximity to it, including Plaintiff, when the fork lift was being operated in reverse.

11.

Plaintiff previously notified Defendant KEITH CONNOR, who was then and there responsible for supervision of Defendant DARREN RICHARDSON that the fork lift was being operated with this beeper turned off.

12.

Nonetheless, unknown to Plaintiff, on February 27, 2007, Defendant DARREN RICHARDSON was again operating his fork lift with the warning beeper disengaged and not functioning.

13.

On February 27, 2007, Plaintiff was standing in the cargo loading area at the 84 Lumber Company Store at 4020 Ogeechee Road, Savannah, Georgia, when without reason or warning, Defendant DARREN RICHARDSON caused his fork lift to collide violently with Plaintiff.

14,

Plaintiff had no warning and no opportunity to avoid the fork lift as it collided violently with him.

15.

Plaintiff then and there suffered severe and permanent crush and injury to his right foot and ankle.

As a direct and proximate result of this impact and injury Plaintiff has incurred medical costs in the approximate amount of \$86,000 to date.

17.

As a direct and proximate result of this impact and injury and the disability caused thereby Plaintiff has been unable to work, with a resulting loss of income of approximately \$750.00 per week, based on his wage at the time of the incident complained of from the date of the incident and continuing to the present and beyond.

18.

Plaintiff has suffered permanent injury and loss of function to his right leg and foot so as to permanently destroy or, at best, greatly reduce his ability to work and labor.

19.

Plaintiff has suffered and will continue to suffer for the remainder of his life continuing pain and discomfort as a direct result of his injuries, and the traumatic arthritis caused thereby.

20.

Plaintiff was only 33 years old at the time of his injury with a reasonable expectation of many years of useful, productive work, and enjoyment of life.

21.

The injuries and damages complained of herein are severe and permanent, and likely to become more severe with the passage of time.

COUNT 1

22.

Plaintiff realleges and incorporate by reference each and all of the paragraphs set forth above as if fully repeated hereinafter.

23,

The injuries and damages complained of herein were caused by the negligence and fault of Defendant DARREN RICHARDSON in causing the fork lift he operated to collide violently with Plaintiff.

24,

Defendant DARREN RICHARDSON was then and there the agent-employee of Defendant 84 LUMBER COMPANY.

25.

Plaintiff is thereby entitled to recover in full from Defendants for all the injuries complained of herein.

COUNT II

26.

Plaintiff realleges and incorporates by reference each and all of the paragraphs set forth above as if fully repeated hereinafter.

27,

The injuries and damages complained of herein were caused by the intentional fault, negligence, and misconduct of Defendant DARREN RICHARDSON in disconnecting and then operating his fork lift without the warning beeper which would have alerted Plaintiff to the violent impact which was about to occur so as to allow Plaintiff to avoid or reduce the impact which caused his injuries and damages.

28.

Plaintiff is thereby entitled to recover in full for the injuries and damages complained of herein.

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Plaintiff is further entitled to recover punitive damages in an amount sufficient to punish the misconduct complained of and to warn against such misconduct in the future.

COUNT III

30.

Plaintiff realleges and incorporates by reference each and all of the paragraphs set forth above as if fully repeated hereinafter.

31.

The injuries and damages complained of herein were caused by the negligence and fault of Defendant CONNOR in failing to adequately supervise Defendant DARREN RICHARDSON so as to cause the fork lift in issue to be operated with a proper, functioning warning beeper.

32.

Defendant CONNOR was then and there the agent-employee of Defendant 84 LUMBER COMPANY.

33.

Plaintiff is thereby entitled to recover in full from Defendants for all the injuries and damages complained of herein.

COUNT IV

34.

Plaintiff realleges and incorporates by reference each and all of the paragraphs set forth above as if fully repeated hereinafter.

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The injuries and damages complained of herein were caused by the negligence and fault of Defendant 84 LUMBER COMPANY acting through its agent-employees.

36.

The injuries and damages complained of herein were caused by the intentional fault and misconduct of Defendant 84 LUMBER COMPANY acting through its agent-employees.

37,

Plaintiff is thereby entitled to recover in full from Defendant 84 LUMBER COMPANY for all the injuries and damages complained of herein.

38

Plaintiff is thereby entitled to recover punitive damages from Defendant 84 LUMBER COMPANY to punish the intentional fault and misconduct complained of and to warn against such misconduct in the future.

WHEREFORE, Plaintiff prays that service be had on Defendants, that a trail by jury proceed and that Judgment be awarded to Plaintiff for actual damages in the amount of \$3,000,000 plus attorneys' fees, costs, and such other sums as law and justice may demand, and that punitive damages also be awarded in an amount sufficient to punish and to warn Defendants as to the misconduct complained of.

Respectfully submitted this 2nd day of March, 2009.

JONES, OSTEEN AND JONES

G. Brinson Williams State Bar No. 761700

Attorney for Plaintiff

Post Office Box 800 Hinesville, Georgia 31310 (912) 876-0888

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	SC-85-2 CLYDE CASTLEBERRY CO., COVINGTON, GA. 20015
Civil Action No. STCV0900869	Superior Court
Date Filed February 25, 2009	Georgia, CHATHAM COUNTY
Attorney's Address	Charles D. Wall, Sr.
G. Brinson Williams, Esq. JONES, OSTEEN AND JONES	Plaintif
Post Office Box 800 Hinesville, Georgia 31310	VS. 84 Lumber Company, Darren Richardson
Name and Address of Party to be Served.	and Keith Connor
CT Corporation Systems, agent for service for 84 Lumber Company 1201 Peachtree Street NE	Defendan
Atlanta, GA 30361	
SHERIFF'S	ENTRY OF SERVICE Garnished
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of the within action and summons.	
I have this day served the defendant	
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copy of the action and summons at his most notorious place of abode in	
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SHERIFF DOCKET______ PAGE_____

WHITE-CLERK CANARY-PLAINTIFF SHK-OFFENDANT



Service of Process **Transmittal**

03/10/2009

CT Log Number 514553511

TO:

Robert Bosilovic, Attorney 84 Lumber Company 1019 Route 519 Eighty Four, PA 15330-2813

RE:

Process Served in Georgia

FOR:

84 Lumber Company (Domestic State: PA)

ENGLOSED ARE COPIES OF LEGAL PROCESS RECEIVED BY THE STATUTORY AGENT OF THE ABOVE COMPANY AS FOLLOWS:

TITLE OF ACTION:

Charles D. Hall, Sr., Pitf. vs. 84 Lumber Company, et al., Ofts.

DOCUMENT(S) SERVED:

Entry of Service, Summonses, Complaint, Amended Complaint

COURT/AGENCY:

Chatham County State Court, GA Case # 5TCV0900869

NATURE OF ACTION:

Personal Injury - Struck by forklift at 84 Lumber Company Store at 4020 Ogeechee Road, Savannah, Georgia on February 27, 2007 - Seeking \$3,000,000

ON WHOM PROCESS WAS SERVED:

C T Corporation System, Atlanta, GA

DATE AND HOUR OF SERVICE:

By Process Server on 03/10/2009 at 12:10

APPEARANCE OR ANSWER DUE:

Within 30 days after service, exclusive of the day of service

ATTORNEY(5) / SENDER(5):

G. Brinson Williams Jones, Osteen and Jones Post Office Box 800 Hinesville, GA 31310 912-876-0888

ACTION ITEMS:

CT has retained the current log, Retain Date: 03/10/2009, Expected Purge Date:

03/15/2009

Telephone, Robert Bosilovic , 800-664-1984 1535 Left voice mail message for Robert Bosilovic Image SOP

Email Notification, Robert Bosilovic Bob. Bosilovic@84lumber.biz

SIGNED ADDRESS: C T Corporation System Nicole Thompson 1201 Peachtree Street, N.E.

TELEPHONE:

Atlanta, GA 30361 404-965-3840

Page 1 of 1 / LM

Information displayed on this transmittal is for CT Corporation's record keeping purposes only and is provided to the recipient for quick reference. This information does not constitute a legal opinion as to the nature of action, the amount of damages, the answer date, or any information contained in the documents themselves. Recipient is responsible for interpreting raid documents and for taking appropriate action. Signatures on certified mail receipts confirm receipt of package only, not

SHERIFF'S ENTRY OF SERVICE SC-85-2 CLYDE CASTLEBERRY CO., COVINGTON, GA. 30015 Magistrate Court Superior Court State Court χŽ Probate Court STCV0900869 Civil Action No. Juvenile Court CHA::IIAM Date Filed February 25, 2009 COUNTY Georgia, Attorney's Address Charles D. Hall, Sr. G. Brinson Williams, Esq. Plaintiff JONES, OSTEEN AND JONES MAR 4 2009 VS. Post Office Box 800 Himesville, GA 31310 1st Attempt 84 Lumber Company, Darren Richardson 2nd Attempt Name and Address of Party to be Servedttempt Keith Connor Defendant Keith Connor 106 Fairhaven Court Guyton, GA 31312-5343 Garnishee SHERIFF'S ENTRY OF SERVICE PERSONAL I have this day served the defendant of the within action and summons. I have this day served the defendant.

Amended Complaint
copy of the action and summons at his most notorious place of abode in this County. NOTORIOUS Delivered same into hands of_ ____years; weight_____pounds; height, about_____feet and_____inches, domiciled at the residence of age, about_ defendant. CORPORATION Served the defendant_ by leaving a copy of the within action and summons with... in charge of the office and place of doing business of said Corporation in this County. TACK & MAIL I have this day served the above styled affidavit and summons on the defendant(s) by posting a copy of the same to the door of the premises designated in said affidavit, and on the same day of such posting by depositing a true copy of same in the United States Mail, First Class in an envelope properly addressed to the defendant(s) at the address shown in said summons, with adequate postage affixed thereon containing notice to the defendant(s) to answer said summons at the place stated in the summons. Diligent search made and defendant not to be found in the jurisdiction of this Court. Ž Ž

ADORNO & YOSS

A LIMITED LIABILITY CORPORATION

1349 W. PEACHTREE STREET, NE, SUITE 1500 ATLANTA, GA 30309

PHONE: (404) 347-8300, Fax: (404) 347-8395

DIRECT LINE: (404) 347-8531 DIRECT FAX: (404) 601-5832 EMAIL: VCARLTONSAGLER@ADORNO.COM

March 23, 2009

YIA TELEFAX (912) 368-5536

G. Brinson Williams Jones, Osteen and Jones Post Office Box 800 Hinesville, Ga 31310

VICKIE S CARLTON-SAULER

Re: Charles D. Hall, Sr. v. 84 Lumber Company, Darren Richardson, and Keith Connor, State Court of Chatham County, Civil Action File No.: STCV0900869 – Waiver of Process and Acknowledgement of Service on behalf of Defendant Darren Richardson

Dear Brinson:

As you know, I represent Defendants 84 Lumber Company, Darren Richardson, and Keith Connor in the above-referenced case. Please be advised that due and legal service of the Complaint and Summons upon Defendant Darren Richardson, is hereby acknowledged. Copies of the Complaint and Summons have been received and all other and further service of same is waived.

Sincerely,

Vickie S. Carlton-Sadler

VSC/cdh

Dickie & Call Soll